

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of T.D., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TERRI JO DEMAR,

Respondent-Appellant,

and

ROMONDO HERRINGTON,

Respondent.

UNPUBLISHED

May 22, 2003

No. 242314

Washtenaw Circuit Court

Family Division

LC No. 99-024840-NA

Before: Whitbeck, C.J., and White and Donofrio, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i) and (g). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller* 433 Mich 331, 337; 445 NW2d 161 (1989). There was ample evidence produced that having her child in the home put pressure on respondent-appellant that made it difficult for her to parent the child. She had difficulty setting limits on his behavior and establishing appropriate emotional and physical boundaries. There was also not clear and convincing evidence that she would be able to avoid abusing stimulants in the future. Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Respondent-appellant asserts that she has a constitutional right to parent her child. We decline to address this issue, as it was not preserved. Moreover, this Court has previously held

that a parent's interest in the custody of her child is not an absolute right. *In re AH*, 245 Mich App 77, 79; 627 NW2d 33 (2001).

Respondent-appellant also argues that the trial court clearly erred in finding that reasonable efforts were made to reunify the family. We find that the record demonstrates that numerous services and instructions were offered to respondent-appellant. Some of these she did not avail herself of and others she was unable to apply. Thus, this argument is without merit, and the trial court did not err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ William C. Whitbeck

/s/ Helene N. White

/s/ Pat M. Donofrio